

Department of Permits Approvals and Inspections  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of  
  
Steven Boucher  
  
Respondent

Civil Citation No. 87100  
  
204 S Taylor Avenue

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on March 30, 2011 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 3-6-401, 402; 13-7-310, 312; Baltimore County Zoning Regulations 9BCZR) section 101, 102.1, 1B01.1A, 1B01.1D, failure to comply with on residential property.

On March 14, 2011, pursuant to § 3-6-205, Baltimore County Code, Inspector Christina Frink issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$20,400.00 (twenty thousand four hundred dollars).

The following persons appeared for the Hearing and testified: Steven Boucher, Respondent and, Christina Frink, Baltimore County Code Enforcement Officer.

Testimony was presented that this property was the subject of a prior citation for an open dump, including a bed frame, branches, open trash, debris and tires. A citation was issued and on 2/16/11 the Respondent failed to appear at the scheduled hearing. A citation based \$800.00 fine was noted. On 3/11/11 a re-inspection took place showing no change in the conditions on the property, as did a pre-hearing inspection on 3/29/11. Respondent testified that he is a diabetic and is in cancer remission. He acknowledged that he had not met his responsibilities as the owner of the property.

Having heard the testimony and evidence presented at the hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$500.00, that \$450.00 be suspended, with an immediate \$50.00 fine imposed at this time.

IT IS FURTHER ORDERED that \$700.00 of the \$800.00 civil penalty for the Failure To Appear issued March 15, 2011 be suspended, with an immediate \$100.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining combined suspended fines of \$1,150.00 will be imposed if the property is not brought into compliance within 30 days.

IT IS FURTHER ORDERED that the remaining combined suspended fees of \$1,150.00 will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that a contractor be assigned by Baltimore County to clean up the property and bring it into compliance; the cost of which to be borne by the Respondent.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 12<sup>TH</sup> day of April 2011

Signed: ORIGINAL SIGNED  
Lawrence M. Stahl  
Managing Administrative Law Judge

**NOTICE TO RESPONDENT:** The Respondent is advised that pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.